2021 Jun-01 PM 04:52 U.S. DISTRICT COURT N.D. OF ALABAMA

## Exhibit 290

16 Dec 47

FILES

(Draft)

NATIONAL ASSOCIATION OF BLUE SHIELD PLANS

Council on Medical Service American Medical Association 535 N. Dearborn Street Chicago, 10, Illinois

Re: Blue Shield Symbol

Gentlemen:

At the meeting of our commission held in St. Louis September 18-19, 1947, our commission deferred taking action on the adoption of the Blue Shield and the words "Blue Shield Plans" as the official symbol of our organization, in deference to the written request of Dr. Lull received at the meeting.

Redacted - Privilege

## Redacted – Privilege

Redacted - Privilege our commission at its meeting held in Chicago December 13, 1947, further discussed the subject. It was pointed out that the Blue Shield symbol, as used by nineteen or more of our member plans, is a "service mark" for identification by the public in the purchase of prepaid medical service, and that the seal of acceptance adopted and used by you is a "certification mark" certifying to the public the quality or reliability of various medical or hospital insurance contracts. In view of this difference in purpose and nature, it was the sense of our commission that the functions of the Blue Shield symbol, as used by our member plans, and the functions of your seal of acceptance, do not overlap or conflict, and that both are meritorious and should be fully developed and protected.

CONFIDENTIAL BCBSA00259485

Council on Medical Service Page Two

After the above discussion, our commission met jointly with the National Blue Cross Commission, at which meeting it was decided jointly to employ an outstanding physician to act on a national scale as joint medical director of both commissions. When this was decided, our commissions felt that such joint medical director must have a title and an organizational name that will mean something to the public. Otherwise he will represent "Blue Cross and?". It was further felt to be imperative that the name "Blue Shield" become official, so that the joint medical director could be publicly and nationally known as a spokesman and representative of "Elue Cross and Blue Shield".

Due to the necessity of acting immediately, and prior to the employment of the joint medical director, our commission decided to take action at once on the adoption of a symbol and name. It was decided to adopt the Blue Shield symbol as the official symbol of Associated Medical Care Plans, and to adopt the name "Blue Shield Plans" and "Blue Shield Commission" as the official designations to accompany the symbol. It was also decided to instruct our Counsel to take steps to register the Blue Shield symbol with the United States Patent office on behalf of the Blue Shield Commission and all of the A.M.C.P. member plans.

Of course, it is understood, in the event you decide to register your seal of acceptance as a "certification mark", that the Blue Shield Commission will cooperate with you to the fullest extent.

Very truly yours,